

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—
GENERAL

Case No. 5:22-cv-00779-SHK

Date June 28, 2022

Title *Anthony Durney v. AECOM Technical Services, Inc.*

Present: The Honorable Shashi H. Kewalramani, United States Magistrate Judge

D. Castellanos

Not Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Present

None Present

Proceedings: (IN CHAMBERS) Order to Show Cause

On May 6, 2022, Plaintiff Anthony Durney (“Plaintiff”) filed a Complaint (“Complaint” or “Compl.”) against Defendants AECOM Technical Services, Inc. (“AECOM”), and Does 1 through 10 (collectively, “Defendants”). Electronic Case Filing Number (“ECF No.”) 1, Compl. On June 17, 2022, Plaintiff filed a Notice of Acknowledgement of Service of Summons of Complaint (“Proof of Service” or “POS”), indicating that Plaintiff served the summons and Complaint on AECOM on May 25, 2022. ECF No. 8, POS at 1.

Generally, defendants must answer or otherwise respond to a complaint within twenty-one days after being served with the summons and Complaint. Fed. R. Civ. P. 12(a)(1)(A)(i). Here, because service was effectuated on May 25, 2022, AECOM’s answer was due twenty-one days later, on June 15, 2022. As of the date of this Order, AECOM has not filed an answer or otherwise responded to the Complaint and Plaintiff has not requested that default be entered against AECOM as authorized under Federal Rule of Civil Procedure (“Rule”) 55. As such, this litigation is stalled.

Accordingly, Plaintiff is ORDERED TO SHOW CAUSE in writing by **July 6, 2022**, why this action should not be dismissed for failure to prosecute. Plaintiff can satisfy this order by requesting that default be entered against AECOM pursuant to Rule 55 by the date stated above. Plaintiff is warned that failure to timely respond to this OSC in the manner stated above **may result in the dismissal of this action** for failure to prosecute and follow Court orders.

IT IS SO ORDERED.